

FISCAL NOTE

SB 1485 - HB 883

March 22, 2001

SUMMARY OF BILL:

- Requires the court to order individuals convicted of a DUI within five years of a prior conviction to undergo a drug and alcohol assessment and receive treatment as appropriate.
- Requires individuals convicted of a DUI within five years of a prior conviction to only operate a motor vehicle or motorcycle with an ignition interlock device for a period of six months after the license revocation period unless they are operating a vehicle owned or provided by their employer in the course of their employment.
- Provides for funds from the Alcohol and Drug Addiction Treatment Fund to be used to pay costs associated with the ignition interlock device.
- Requires the Department of Transportation to make funds available in the form of grants if there are insufficient funds in the Treatment Fund to provide drug and alcohol assessments and treatment. These provisions would take effect October 1, 2001.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$1,000,000/Alcohol and Drug Addiction Treatment Fund

Other Fiscal Impact -

- 1) **Transfers a sum sufficient amount from the Highway Safety Fund to the Alcohol and Drug Addiction Treatment Fund in the event the Treatment Fund does not have sufficient funding for the treatment and ignition interlock requirements of this bill.**
- 2) **In the absence of the enactment of a repeat offender law, \$5,700,000 in federal funds for FY01-02 and \$11,400,000 for FY02-03 and subsequent years currently used for the Surface Transportation Program, Interstate Maintenance, or the National Highway System would be restricted for use through required transfer to Section 402 safety programs.**

Estimate assumes:

- drug and alcohol assessments could be performed within existing resources as there is already an assessment procedure in place.
- approximately 3,000 multiple offenders would be subject to assessment.
- the court will order 1,000 into treatment programs. The cost of the treatment program is approximately \$2,300. 50% of these individuals will pay for their own treatment.

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- 1,000 offenders will be required to get the ignition interlock device. The cost of installing and monitoring such device for six months is \$450 each. 75% of these offenders will pay for their own ignition interlock device.
- the Governor's Highway Safety Fund may make a grant to the Alcohol and Drug Addiction Treatment Fund to the extent sufficient funds are not available for the cost of treatment for indigent offenders.
- under T.C.A. 55-10-403(a)(4)(B), "the court is not empowered to order the expenditure of public funds to provide treatment"; therefore, the use of the Alcohol and Drug Addiction Treatment Fund or other public funds to pay for treatment under the provisions of the bill is assumed to be permissive.
- the use of Highway Safety Funds may be restricted to an extent that the grant provided for in the bill is not possible under federal requirements.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director